

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

EARLY GLENN,

Petitioner,

vs.

WILLIAM DANFORTH,

Respondent.

*
*
*
*
*
*
*
*
*

CV 113-118

O R D E R

Before the Court are Petitioner's "request for reconsideration of a certificate of appealability under 28 U.S.C. § 2253(c)(2)" (doc. no. 31), and Petitioner's motion for leave to appeal in forma pauperis (doc. no. 37). Both motions are **DENIED**.

I. MOTION FOR RECONSIDERATION

On July 22, 2013, Petitioner sought relief in this Court under 28 U.S.C. § 2254. On August 6, 2014, the Court granted Respondent's motion to dismiss and denied a certificate of appealability (COA). (Doc. no. 29.) Shortly thereafter, Petitioner filed a motion for reconsideration of the denial of the COA. (Doc. no. 31.) He argues that the Court should now grant the COA because he has made a substantial showing of the

denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). The issues Petitioner raises in his motion were addressed and resolved in the Court's August 6 Order. His motion is therefore **DENIED**.

II. MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS

In the Court's August 6 Order, the Court held that "there are no non-frivolous issues to raise on appeal, an appeal would not be taken in good faith and Petitioner is not entitled to appeal in forma pauperis. See 28 U.S.C. § 1915(a)(3)." (Doc. no. 29.) On August 27, 2014, Petitioner filed in this Court a motion to proceed in forma pauperis. (Doc. no. 37.)

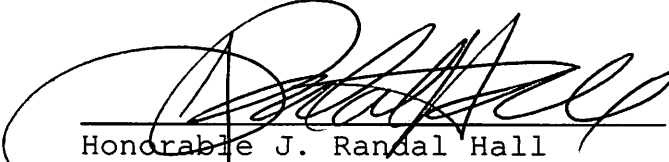
"An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." 28 U.S.C. § 1915(a)(3). Upon due consideration, and consistent with this Court's August 6 Order, the Court finds that an appeal in this matter would not be taken in good faith. Therefore the Court hereby **DENIES** Defendant's motion to proceed in forma pauperis. (Doc. no. 37.)

III. CONCLUSION

Accordingly, the Court **DENIES** Petitioner's "request for reconsideration" (doc. no. 31), and **DENIES** Petitioner's motion

to proceed in forma pauperis (doc. no. 37).

ORDER ENTERED at Augusta, Georgia, this 22nd day of
October, 2014.



Honorable J. Randal Hall
United States District Judge
Southern District of Georgia